

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Claims 1-8 have been cancelled in favor of new claims 9-20. Support for the subject matter defined by these claims is provided in the original claims, Figs. 4 and 7, and their accompanying descriptions in the specification. More specifically, the specification provides support for the newly recited features on page 7, line 23, through page 8, line 1, page 12, line 4, through page 13, line 3, page 13, line 18, through page 14, line 3, page 15, lines 6-11, and page 19, lines 18-25.

Claims 1-8 were rejected, under 35 USC §102(b), as being anticipated by Kanai (US 5,386,589). To the extent these rejections may be deemed applicable to new claims 9-20, Applicants respectfully traverse these rejections.

Claim 9 recites:

*A radio communication apparatus comprising:
a decoder that performs decoding processing on reception data every decoding unit, said reception data including a plurality of transmission units in said decoding unit;
a judging unit that judges a presence or absence of an error in the decoded reception data every transmission unit;
an updater that increments or decrements a reference value of a reception quality according to said presence or absence of an error to update said reference value;
and*

a generator that generates a transmission power control bit according to a result of comparison of the updated reference value and a measured reception quality, wherein

within each decoding unit, the number of times said updater increments said reference value is less than the number of transmission units having an error.

Kanai fails to disclose the feature recited in claim 9 whereby, within each decoding unit, the number of times an updater increments a reference value is less than the number of transmission units within the decoding unit having an error.

By contrast to the above-noted feature of claim 9, Kanai discloses changing two threshold values (LV1 and LV2), which are reference values of transmission power control, by a predetermined value according to a result of a comparison of: (1) the number of times an average bit error rate exceeds a maximum allowable bit error rate or (2) the number of times an average CIR is less than a minimum allowable CIR, and their respective predetermined normal values (see Kanai Figs. 5 and 7).

However, Kanai does not disclose or suggest the claimed relationship between a decoding unit and a plurality of transmission units included in the decoding unit.

Accordingly, Applicants submit that Kanai does not anticipate the subject matter defined by claim 9. Therefore, allowance of claim 9 and all claims dependent therefrom is warranted.

Independent claim 15 recites:

A radio communication apparatus, comprising:
a decoder that performs decoding processing on reception data every decoding unit, said reception data including a plurality of transmission units in said decoding unit;
a judging unit that judges a presence or absence of an error in the decoded reception data every transmission unit;
an updater that increments or decrements a reference value of a reception quality according to said presence or absence of an error to update said reference value; and
a generator that generates a transmission power control bit according to a result of comparison of the updated reference value and a measured reception quality, wherein
within each decoding unit, said updater decrements said reference value by a decrement width that is in accordance with the number of times said reference value is incremented.

Kanai fails to disclose the feature recited in claim 15 whereby, within each decoding unit, an updater decrements a reference value by a decrement width that is in accordance with the number of times the reference value is incremented.

In contrast, as may be determined by inspection of Kanai's Figs. 5 and 7, both reference values LV1 and LV2 are decremented by a prescribed fixed value, 1, as illustrated in steps 202, 203, 404, and 405 (see Kanai col. 8, lines 35-39, and col. 10, lines 4-7). Kanai discloses no relationship between the value of 1 and the number of times either reference value LV1 or LV2 is incremented.

Accordingly, Applicants submit that Kanai does not anticipate the subject matter defined by claim 15. Therefore, allowance of claim 15 and all claims dependent therefrom is warranted.

Claims 19 and 20 recite the distinguishing subject matter of apparatus claims 9 and 15, respectively, but with regard to methods. For similar reasons that the respective features of claims 9 and 15 distinguish these claims, so too do they distinguish claims 19 and 20. Therefore, allowance of claims 19 and 20 is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: September 23, 2004
JEL/DWW/att

Attorney Docket No. L9289.01163
STEVENS DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
P.O. Box 34387
Washington, D.C. 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200